



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

<b>DOD: 10-5-99</b>		<b>DALE BOLDEN</b> , Administrator with Full IAEA, is Petitioner.	<b>NEEDS/PROBLEMS/ COMMENTS:</b>  <b><u>SEE PAGE 2</u></b>
		<b>Defendants: The Ebenezer Community Church of God in Christ</b> , a nonprofit charitable corporation; <b>all persons unknown claiming</b> any legal or equitable right, title, estate, lien or interest in the property described in the complaint adverse to Plaintiff's title thereto; and <b>DOES 1 through 100</b> , inclusive.	
		<b>Petitioner states</b> the Decedent owned a 40% interest in certain real property improved as a church at his death, and describes various circumstances surrounding its ownership, including issues with the church organization / tenant. Background:	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		Decedent purchased the lot where they intended to construct a church in the mid 70s with his wife, but with inherited funds. Other congregation members joined the Decedent in the financing and originally title was held by: the Decedent and his wife, Richard and Lela Lee, husband and wife, Alfonso Moultrie, and Glen Fielder. Glen Fielder quitclaimed his interest to the others, and later, in 2004, when negotiating various issues church tenant, the church represented that they had acquired assignments of interest from the other title holders.	
		Petitioner states he has bargained in good faith over a period of eight (8) years with the Defendants attempting to work with them in order to afford them the opportunity to purchase the Decedent's interest in the property; however, they have failed to follow through on their promise to purchase. During this time, Petitioner has maintained the real property insurance and paid property taxes.	
		Physical partition of the property is not possible since it is a single parcel improved with a church building, parking lot, fence and landscaping. Sale and apportionment of the proceeds between the parties is the only viable and reasonable alternative in this matter.	
		Petitioner has incurred additional costs for insurance, real property taxes, and attorney fees to preserve and protect the real property since Defendants abandoned the premises in or about 2010. The church accrued unpaid rent of \$7,500.00 for which Petitioner is requesting that amount to be paid from the proceeds by Defendants. Petitioner also requests reimbursement of her reasonable costs, expenses and attorney fees for initiating and maintaining this action.	
		<b><u>SEE PAGE 2</u></b>	
			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 6-27-12
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 1 - Moultrie</b>

**Petitioner requests Orders that:**

1. The interest of the Decedent's estate in the real property located at 2940 S. Martin Luther King Boulevard, Fresno, 93706 is an undivided forty percent (40%) of the whole;
  2. The Defendants' interest in the real property located at 2940 S. Martin Luther King Boulevard, Fresno, 93706 is an undivided sixty percent (60%) of the whole;
  3. No other person or persons has or have any interest in the real property located at 2940 S. Martin Luther King Boulevard, Fresno, 93706;
  4. There is no viable alternative than sale to resolve the conflicting interest of the parties;
  5. Petitioner is granted the authority to publish for sale the real property located at 2940 S. Martin Luther King Boulevard, Fresno, 93706 pursuant to the provisions set forth in the Probate Code that govern the sale of real property subject to confirmation of the Court;
  6. Petitioner is authorized to list the real property for sale with a reputable real estate broker of her choice and to accept bids for purchase of the real property pursuant to the rules and procedures as is the custom in court confirmed sales;
  7. Petitioner shall petition the probate court for confirmation of sale immediately upon acceptance of the highest and best bid;
  8. Petitioner, upon the close of escrow, shall deposit the proceeds into a blocked federally insured account and;
  9. The Court make a determination as to the reimbursement of fees and costs advanced in this matter, of the past rents owed to the Decedent's estate from the Defendant and for the award of reasonable attorney fees and costs according to proof; and
  10. The Court order division of the net proceeds of sale between the parties in accordance with its determination.
- 

**NEEDS/PROBLEMS/COMMENTS:**

1. It appears Petitioner is relying on the representation by the church in 2004 that they had acquired assignments of interest from the other owners on title (Richard and Lela Lee and Alfonso Moultrie); however, Petitioner does not provide documentation such as a copy of the title report that is in Attorney Motsenbocker's possession, recorded deeds, etc.

Therefore, the Court may require clarification and/or notice of this petition to Richard and Lela Lee and Alfonso Moultrie of this petition.

2. If granted, the Court will set a status hearing for filing of the Report of Sale on Friday 9-6-12.

2

## Notice of Motion and Motion to be Relieved as Counsel

<b>DOD: 03/11/11</b>		<b>ROBERT L. SULLIVAN</b> , attorney for James Hallbauer, Executor, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>JAMES HALLBAUER</b> , was appointed Executor without bond and Letters were issued on 06/07/11.	<b>CONTINUED FROM 05/31/12</b> As of 06/27/12, Petitioner has filed no additional documents.	
<b>Cont. from 041912; 053112</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	<p>Petitioner states that he is the attorney of record in this proceeding. He and his associate, Kristen Lieb, have made numerous attempts to contact Mr. Hallbauer through phone calls, e-mail messages, and correspondence requesting that he respond. Despite his assurances that he would respond, communicate and cooperate with his attorneys, Mr. Hallbauer has failed to do so and has persistently failed to complete the tasks required of him as personal representative of the estate. Due to Mr. Hallbauer's lack of response, Petitioner states that his firm is unable to complete the administration of the estate. A letter dated February 21, 2012 was mailed to Mr. Hallbauer via certified mail informing him of Petitioners intention to withdraw as counsel.</p> <p>There are no upcoming hearings scheduled in this matter.</p>	<p><b>Notes:</b> A status hearing regarding continued Administration of the Estate and Filing of the Inventory &amp; Appraisal will be set on:</p> <p>Friday, September 7, 2012 at 9:00am in Dept. 303</p>	
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>			
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input type="checkbox"/>	<b>Letters</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 06/27/12</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 3 - Hallbauer</b></p>
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			

**(1) First and Final Account and Report of Executor and Petition for Its Settlement,  
(2) for Allowance of Compensation to Executor and Attorneys for Ordinary Services and (3) for Final Distribution**

<b>DOD: 2/1/2011</b>		<b>MARY W. PAUL</b> , Executor, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petition states the petitioner was granted full authority under IAEA. Order for Probate indicates the Petitioner has no authority under IAEA.  2. Need pursuant to Local Rule 7.12.5 which states if property of the estate is to be distributed to a pre-existing trust, the current trustee must file a declaration setting forth the name of the trust, its establishment date, taxpayer identification number, verifying that the trust is in full force and effect, and that the trustee has an executed copy of the trust in his or her possession.  3. Need Order.
		Account period: 2/1/11 – 5/25/2012	
<b>Cont. from</b>		Accounting - <b>\$275,341.70</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$268,892.00</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$275,341.70</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Executor (statutory) - <b>\$8,506.84</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	Attorney (statutory) - <b>\$8,506.84</b>	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Costs - <b>\$1,145.00</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	(filing fee, publication, certified copies)	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	<b>Distribution, pursuant to Decedent's Will, is to:</b>	
	<b>Aff.Pub.</b>	Mary W. Paul, as Trustee, of the Shelly G. Ehlers Declaration of Trust dated 4/28/10 – \$201,602.34, \$35,580.68 in pension benefits and a 2010 Toyota Prius.	
<input checked="" type="checkbox"/>	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>	6/12/11	
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
	<b>Order</b>	X	
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

<b>Reviewed by: KT</b>
<b>Reviewed on: 6/27/12</b>
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 4 – Ehlers</b>

<b>Age:</b> 4 <b>DOB:</b> 08/22/2007		<b>No Temporary Requested</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>Ralph Bejar (Father), if Court does not dispense with notice as requested.</li> </ul> 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petitioner for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>Paternal grandparents, if Court does not dispense with notice as requested.</li> </ul>	
<b>DIANA RUIZ</b> , maternal grandmother is petitioner  Father: <b>RALPH BEJAR</b>  Mother: <b>ERICA ALCORN</b> , personally served 05/02/2012  Paternal grandfather: Unknown Paternal grandmother: Unknown  Maternal grandfather: Ivan Alcorn, sent notice by mail 05/04/2012.					
<b>Cont. from</b>					
	<b>Aff.Sub.Wit.</b>				
✓	<b>Verified</b>				
	<b>Inventory</b>				
	<b>PTC</b>				
	<b>Not.Cred.</b>				
✓	<b>Notice of Hrg</b>		W		
✓	<b>Aff.Mail</b>				
	<b>Aff.Pub.</b>				
	<b>Sp.Ntc.</b>				
✓	<b>Pers.Serv.</b>				
	<b>Conf. Screen</b>				
✓	<b>Letters</b>				
✓	<b>Duties/Supp</b>				
	<b>Objections</b>				
	<b>Video Receipt</b>				
✓	<b>CI Report</b>				
	<b>9202</b>				
✓	<b>Order</b>				
	<b>Aff. Posting</b>				
	<b>Status Rpt</b>				
✓	<b>UCCJEA</b>				
	<b>Citation</b>				
	<b>FTB Notice</b>				

Court Investigator Charlotte Bien's report filed 06/25/2012.

DSS Social Worker Jennifer Cooper's report filed 06/26/2012.

**Reviewed by:** LEG / LV

**Reviewed on:** 06/25/2012

**Updates:**

**Recommendation:**

**File 6 - Alcorn**

Atty Frazier, Audrey (Pro Per – Maternal Grandmother – Petitioner)

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

<b>Age: 3</b>		<b>TEMPORARY EXPIRES 7-2-12</b>  <b>AUDREY FRAZIER</b> , Maternal Grandmother, is Petitioner.  Father: <b>CURTIS SCOTT</b> - Declaration of Due Diligence filed 5-9-12 - Notice dispensed per Minute Order 5-15-12  Mother: <b>NADIA SHAMIS LOWE</b> - Personally served 5-7-12  Paternal Grandfather: Unknown Paternal Grandmother: Mrs. Scott - Personally served 5-4-12 Maternal Grandfather: Not listed  Siblings: Aiyanna Shamis Phelps (13), Najee Ford (10), Antonio A. Moore (7), and Krystal Dean (6),  <b>Petitioner states</b> the father is absent and the mother is incapable of caring for the child and has no stable address. The child will start attending school this fall.  <b>Court Investigator Julie Negrete filed a report on 6-25-12.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing on: - Paternal grandfather - Maternal grandfather - Sibling Aiyanna Shamis Phelps (age 13), along with a copy to her parent/guardian.  <i>Note: Petitioner filed a declaration of due diligence regarding the father and the Court dispensed with notice to the father; however, the declaration indicates Petitioner is in contact with the paternal grandmother. The Court may require further diligence regarding notice to the paternal grandfather.</i>  2. "Delphene Dupree" was served, but it is unclear who this person is or how she is related to the minor. The Court may require clarification.
<b>DOB: 3-3-09</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b> X		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b> W		
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input checked="" type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>Clearances</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input checked="" type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

<b>Reviewed by:</b> skc
<b>Reviewed on:</b> 6-27-12
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 7 - Scott</b>



**Atty Marshall, Jared (for Leslie Ishii – Co-Trustee – Respondent)**

**Petition of Beneficiary to Remove Successor Co-Trustees, Appoint Temporary Successor Trustee, and for Payment of Attorneys' Fees and Costs (Probate Code 15642, 16000, 16002, 16003, 16004, 16006, 16007, 16009, 16060, 16062, 17200, 17206)**

<b>Frank K. Ishii</b> <b>DOD: 11-10-93</b>		<p><b>GERALD ISHII</b>, Beneficiary and Co-Trustee, is Petitioner.</p> <p>Petitioner states he and <b>LESLIE ISHII</b> (Respondent) were named successor co-trustees of the <b>ISHII FAMILY TRUST DATED 3-3-92 (the "Trust")</b>. The Trust consisted of interests in 8 parcels of real property, stocks, bonds, securities, cash, and other assets in Prudential-Bache Securities, and 300 shares of common stock in <b>Frank K. Ishii &amp; Sons, Inc.</b>, a California corporation owned by the Settllors.</p> <p>At the death of Frank K. Ishii on 11-10-93, two irrevocable and one revocable sub-trusts were created:</p> <ul style="list-style-type: none"> <li>• The <b>FRANK K. ISHII TRUST</b></li> <li>• The <b>ISHII FAMILY MARITAL DEDUCTION TRUST</b></li> <li>• The <b>ISHII FAMILY SUVIVOR'S TRUST</b> (revocable)</li> </ul> <p>On 3-15-95, <b>Lily Ishii</b>, individually and as Trustee of the Trust, assigned a 36.44% interest to the <b>FRANK K. ISHII TRUST</b>, a 13.56% interest to the <b>ISHII FAMILY MARITAL DEDUCTION TRUST</b>, and a 50% interest to the <b>ISHII FAMILY SUVIVOR'S TRUST</b> of the assets listed on Exhibit F, including accrued rent payable from the corporation of \$105,548 as of 11-10-93, a receivable due from the corporation of \$26,089 as of 11-10-93, and a proprietorship known as Lily's Hair Stylists consisting of furniture and fixtures, cash, supplies, inventory and goodwill.</p> <p>Lily Ishii died on 3-7-05 and he and <b>LESLIE ISHII</b> (Respondent) became Co-Trustees.</p> <p>Pursuant to Section 5.02 of the Trust, the three sub-trusts were to be combined on the death of the surviving settlor and certain distribution was to occur:</p> <ul style="list-style-type: none"> <li>• \$75,000.00 to Sharon J. Shoji (daughter)</li> <li>• One-half of the remaining balance to Gerald</li> <li>• One-half of the remaining balance to Leslie</li> </ul> <p style="text-align: center;"><b>SEE PAGE 2</b></p>	
<b>Lily Y. Ishii</b> <b>DOD: 3-7-05</b>			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		w
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		X
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

**NEEDS/PROBLEMS/COMMENTS:**

Examiner's Note Re format of Petitioner's documents: Please consider providing a larger top margin so that the top line of each page is readable without removing all documents from the Court file.

1. Need order.

**Reviewed by:** skc

**Reviewed on:** 6-28-12

**Updates:**

**Recommendation:**

**File 8 - Ishii**

**PAGE 2**

As to the corporation: Petitioner and Leslie each hold 300 shares individually and the Trust holds 300 shares. Petitioner and Leslie as individuals and as Co-Trustees may vote an equal number of shares, but have been in a deadlock as to the operation of the corporation since approx. 2007. As such, the corporation's status has become suspended with many tax liabilities remaining outstanding, which continues to decrease the value of the corporation.

A meeting of the directors of the corporation was noticed on 6-3-10 by Gerald, who is secretary; however, the meeting did not occur because Leslie found the principal place of business of the corporation to be an inconvenient meeting location, although it is approx. one mile from her home. No meetings have occurred since. Because the corporation is one-third owned by the trust, the deadlock between the Co-Trustees is impairing the administration of the Trust and causing trust assets to lose value.

Petitioner requests that the Court remove both Co-Trustees of the Trust and subtrusts because due to hostility and lack of cooperation among Co-Trustees, administration of the Trust and sub-trusts continue to be impaired and trust assets neglected. Probate Code §§ 15642(a)(3), 17200(b)(10). The Trust does not appoint a successor trustee in the event of removal; rather, it provides only the manner of successor appointments should one of the two become unable to perform. Petitioner requests appointment of **BRUCK BICKEL** as Successor Trustee with compensation to be approved by the Court. Mr. Bickel consents to act. Petitioner requests appointment without bond for one year to allow the corporate affairs to be brought to order, with authority to apply for an extension by Mr. Bickel should the corporate affairs remain unresolved and the Trust assets undistributed. Petitioner believes this appointment is in the best interests of the Trust and sub-trusts, and those persons interested in the Trust estate.

**Petitioner requests that:**

- 1. The Court temporarily and partially remove Gerald Ishii and Leslie Ishii as Co-Trustees of the ISHII FAMILY TRUST DATED 3-3-92;**
- 2. The Court appoint Bruce Bickel as temporary Successor Trustee to serve without bond for a period of one year, with the ability of Mr. Bickell to petition the Court for additional time should the corporate affairs remain deadlocked;**
- 3. The Court award reasonable compensation to the temporary Successor Trustee;**
- 4. The Co-Trustees to deliver the Trust assets to the temporary Successor Trustee within 30 days after issuance of an Order;**
- 5. The Court order Leslie Ishii to file an accounting with the Court detailing their respective acts as Co-Trustees no later than four weeks after the Court makes its order;**
- 6. The Court order Petitioner's attorneys' fees in the amount of \$1,000.00 and costs advanced to be paid to such attorneys directly from the Trust, to be charged 100% to income, and paid within 10 days after the Court makes its order; and**
- 7. Such further orders as the Court deems proper.**

**SEE PAGE 3**

PAGE 2

**Objection of LESLIE ISHII states this probate proceeding is not the proper forum or vehicle to resolve such corporate issues.** This lawsuit is premature at best and legally inapposite to the issues it proposes to resolve at worst. The corporation is deadlocked; however, the instant petition filed as a trust proceeding does not request any form of relief that will serve to end the shareholders' deadlock and restore the corporation to operational status. Specifically, the appointment of a neutral third party trustee will not resolve any issues with regard to the operation of the corporation. While a trustee may have the right to vote shares of stock held in trust, a trustee's paramount duty is to distribute trust property pursuant to the terms of the trust instrument. Here, the trust instrument requires the residue be distributed one-half each to Petitioner and Respondent. If a neutral third party trustee is appointed, he will be obligated to distribute the shares held in trust accordingly, not to vote the shares, and, in effect run the business of the corporation.

Respondent has no objection to the immediate equal distribution of the shares of the corporation currently held in trust. In the likely event that said distribution does not resolve the deadlock, however, Petitioner's only recourse will be to file a lawsuit for involuntary dissolution in the unlimited civil department of the Superior Court.

**Respondent requests that the Court issue an order requiring the Co-Trustees to immediately distribute 150 shares of Frank K. Ishii & Sons, Inc., each to Petitioner and Respondent, and for reasonable attorneys' fees and costs incurred herein.**

**Alternatively, Respondent requests the Court issue an order removing Petitioner and Respondent as Co-Trustees, but only as to their fiduciary ownership of the Trust's 300 shares of Frank K. Ishii & Sons, Inc.; appointing Bruce Bickel as temporary successor trustee without bond solely for the purpose of administering the Trust's 300 shares of Frank K. Ishii & Sons, Inc.; authorizing Mr. Bickel to petition to continue to serve should it be in the best interests of the beneficiaries or the affairs of the corporation that he remain in such role; awarding reasonable compensation to the temporary Successor Trustee; requiring the Co-Trustees to deliver the shares of Frank K. Ishii & Sons, Inc., to the temporary Successor Trustee by a date certain; for reasonable attorneys' fees and costs incurred herein; and for any and all other relief the Court deems just and proper.**

**Petition for Appointment of Probate Conservator of the Estate (Prob. C. 1820, 1821, 2680-2682)**

Age: 18 years DOB: 10/4/1993		There is no temporary. No temporary was requested.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>JESSICA ROBERTS</b> is petitioner and requests that <b>KENNETH ROBERTS</b> be appointed as conservator of the estate without bond and with 2590 powers.	1. It appears that the Petitioner is requesting a conservatorship of her estate only. However, #1a of the petition requests appointment of conservator of the person and #1b of the petition (where request to appoint a conservator of the estate is made) is blank.
Cont. from		<b>Estimated value of the estate:</b> Personal property - \$ 200,00.00 Annual income - \$ 2,000.00 <b>Total - \$200,200.00</b>	2. #1d of the petition requests powers under Probate Code 2590 without specifying the powers and reasons as required.
<input type="checkbox"/>	Aff.Sub.Wit.	<b>Petitioner states</b> she is a named 50% beneficiary of proceeds of a military life insurance policy. The proposed conservatee is a competent 18 year old adult however, the military requires that a beneficiary under the age of 21 have a conservator before they will pay the proceeds to the beneficiary. Petitioner is requesting that her paternal grandfather be appointed conservator for the above purpose.	3. Need Duties of Conservator 4. Need Conservatorship Video Viewing receipt.
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	<b>Petitioner requests</b> that bond not be required since she is an adult and as soon as the insurance proceeds are received she will petition for termination of the conservatorship. Requiring a bond will add unnecessary expense.	5. #14 of the Confidential Conservator Screening form indicates Kenneth Roberts was previously appointed as a conservator, executor or fiduciary in another proceeding without explaining as required.
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	<b>Probate Referee:</b> Rick Smith	6. Jennifer Roberts was noticed in care of Christen Roberts. California Rules of Court 7.51 states notice mailed to a person in care of another is insufficient unless the person entitled to notice is an adult and has directed the party giving notice in writing to send the notice in care of the second person.
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		7. Proposed Order appoints Kenneth Roberts as conservator of the person and not as conservator of the estate. Need new order
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		8. Need Letters
<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		<b>Please see additional page</b>
<input type="checkbox"/>	Letters	X	
<input type="checkbox"/>	Duties/Supp	X	<b>Reviewed by:</b> KT
<input type="checkbox"/>	Objections		<b>Reviewed on:</b> 6/28/12
<input type="checkbox"/>	Video Receipt	X	<b>Updates:</b>
<input type="checkbox"/>	CI Report	N/A	<b>Recommendation:</b>
<input type="checkbox"/>	9202		<b>File 9 - Roberts</b>
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation	N/A	
<input type="checkbox"/>	FTB Notice		

**Note:** If the petition is granted status hearings will be set as follows:

- Friday, October 2, 2012 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal **and;**
- Friday, September 6, 2013 at 9:00 a.m. in Department 303, for the filing of the first account.

Pursuant to Local Rule 7.5 if above documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

**Dept. 303, 9:00 a.m. Monday, July 2, 2012**

Petition for Letters of Administration; Authorization to Administer Under IAEA  
 (Prob. C. 8002, 10450)

<b>DOD: 03/13/2012</b>		<b>JANA L. NELSON</b> , daughter is petitioner and requests appointment as administrator with bond set at \$105,000.00.  Full IAEA – o.k.  Decedent died intestate  Residence: Fresno Publication: The Business Journal	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Letters   <b>Note: If the petition is granted status hearings will be set as follows:</b>  • <b>Friday, 11/30/2012 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u>  • <b>Friday, 08/30/2013 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			w
<input checked="" type="checkbox"/>	Aff.Mail			
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.		<b>Estimated value of the Estate:</b> Personal Property: - \$14,800.00 Real Property: - \$89,026.00 <b>Total: - \$104,026.00</b>	
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters	x		
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			Probate Referee: Steven Diebert
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Petition for Letters of Administration; Authorization to Administer Under IAEA  
(Prob. C. 8002, 10450)

<b>DOD: 12/07/2011</b>		<b>KIRK HAGOPIAN</b> , son of first cousin to the decedent is petitioner and requests appointment as Administrator without bond.  Full IAEA - ?  Decedent died intestate  Residence: Fresno Publication: Needed	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need name and date of death of decedent's spouse per Local Rule 7.1.1D.  2. #3(d) of the Petition states that all heirs at law are adults and waive bond. Need signed waivers of bond from all heirs.  3. Need Notice of Hearing  4. Need Affidavit of Publication  5. Need Duties and Liabilities of Personal Representative  6. Need Confidential Supplement to Duties of Personal Representative per Local Rule 7.10.1.  <b>Note: If the petition is granted status hearings will be set as follows:</b>  <ul style="list-style-type: none"> <li>• <b>Friday, 12/07/2012 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b></li> <li>• <b>Friday, 09/06/2013 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b> x		
<input type="checkbox"/>	<b>Aff.Mail</b> x		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<b>Estimated Value of the estate:</b> Personal Property - \$218,000.00 Real Property - \$60,000.00 <b>Total: - \$278,000.00</b>  Probate Referee: Steven Diebert	
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b> x		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>	<b>Reviewed by:</b> LEG / LV <b>Reviewed on:</b> 06/26/2012 <b>Updates:</b> <b>Recommendation:</b> <b>File 11 – Smart</b>	
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

## Petition to Determine Succession to Real Property (Prob. C. 13151)

<b>DOD: 12/12/09</b>		<b>ANTONIO PEREZ</b> , father, and <b>ESTELLA GONZALEZ</b> , mother, are petitioners.  40 days since DOD.  No other proceedings.  Decedent died intestate.  I & A                      - <b>\$130,000.00</b>  <b>Petitioners request</b> court determination that Decedent's 100% interest in real property located at 5318 W. Mission Avenue in Fresno pass to them in equal shares pursuant to intestate succession.	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
<b>Cont. from</b>				
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>			W/
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
	<b>Letters</b>			
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
<b>Reviewed by: KT</b>				
<b>Reviewed on: 6/28/12</b>				
<b>Updates:</b>				
<b>Recommendation: SUBMITTED</b>				
<b>File 12 - Perez</b>				



Atty Garcia, Jacqueline (pro per Petitioner/mother)

Atty Alvarado, Rosie (pro per Guardian/paternal grandmother)

## Petition for Termination of Guardianship

Reyna age: 10 yrs DOB: 1/16/2002		<p><b>JACQUELINE GARCIA</b>, mother, is petitioner.</p> <p><b>ROSIE ALVARADO</b>, paternal grandmother, was appointed guardian on 10/11/2007. Order appointing guardian includes additional orders stating Robert Briseno, Jr. may not be present in the guardian's home for any reason, at any time. Any visitation of either parent with the children must be supervised by Rosie Alvarado. The guardian will determine the visitation times – no overnight visits and no unsupervised visits.</p> <p>Father: Robert Briseno, Jr.</p> <p>Paternal grandfather: Robert Briseno, Sr. Maternal grandmother: Rita Day Maternal grandfather: Jaime Garcia</p> <p><b>Petitioner states</b> she is now stable and sober and can provide a safe home for her children.</p> <p><b>Objections of Guardian Rosie Alvarado filed on 6/1/02 states</b> although the mother says she is stable Ms. Alvarado believes she is not. Ms. Alvarado states the mother has only been at her current residence for 2 months and move at least three times prior to that. Mom is not making enough money to support 4 children. Ms. Alvarado states the children are doing well in her care. The children currently attend a school that has second language emersion. If the children are returned to their mother they will attend another school. When the children learned about this they became upset.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
Rey age: 9 yrs DOB: 12/9/2002				
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W/
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 6/28/12	
			Updates:	
			Recommendation:	
			File 13 - Briseno	

**Reply to Objections filed by Petitioner/mother, Jacqueline Garcia, on 6/27/12 states** she has been drug free for 3 years. She has completed her probation and obtained a job which she has held for 2½ years and has been living on her own for 3 years. Mom states she has constantly called, texted and left voicemail messages to see her children and Mrs. Alvarado does not return her calls. Mom states she hasn't seen her children in three weeks and before that it was 2 months. Mrs. Alvarado was allowing the children to stay the night with Mr. Briseno's [father] residence. Also she allowed the father and his girlfriend to live with her and they were both constantly under the influence of meth. Mom states she is concerned for their safety.

Mom states she recently moved to a better neighborhood in a gated community for the benefit of her children. She states she is more than financially able to care for her children. Her current job which is grant funded will end in July of 2013 at which time she will be moving to San Mar Properties as either a maintenance coordinator or residential manager in which she will have a 2-3 bedroom apartment. Mom states she is currently in the process of getting her felonies dropped to misdemeanors, but either way getting welfare for her other two children is irrelevant to the case at hand.

Mom states Mrs. Alvarado has known since the beginning that the guardianship was only temporary. Mom states she is very concerned with the fact that Mrs. Alvarado does not let her see her children as much as before. She punishes them if they aren't "good" or if they don't clean their rooms by not allowing them to come to mom's house.

Mom states she has a great support group that includes her mother, her church, her pastors, her boyfriend and her boss.

Mom states she strongly believes it is time for her children to be at home with her and for Rosie to be Grandma and not mom and dad. Mom states she appreciates what Rosie has done but it is time for her to step up and be a responsible parent.

**Court Investigator Dina Calvillo's Report filed on 6/27/12 recommends** that the petition be **DENIED**. CI reports it is concerning to her that the guardian appears to have been violating the court order in regards to visits. The court order specifies supervised visits and there to be no overnights. The guardian stated that she has allowed unsupervised visits with the mother, but does not allow the father any unsupervised visits. However, the mother alleged that the guardian has allowed the father to have unsupervised contact with the children and to live on and off in the guardian's home.

**Petition for Appointment of Guardian of the Person (Prob. C. 1510)**

<b>Age: 4</b> <b>DOB: 05/24/08</b>		<b>TEMPORARY EXPIRES 07/02/12</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>NICOLE OLSEN</b> , maternal aunt, is Petitioner.		<b>CONTINUED FROM 05/21/12</b> <b>Minute Order from 05/21/12 states: The Court dispenses with further notice to the father unless and until his whereabouts become known. The Court continues the matter to 07/02/12. The temporary is extended to 07/02/12. Mother Stephanie Prophet is directed to contact Court Investigator Jennifer Daniel to advise her of her present living situation.</b>	
		Father: <b>HECTOR ESTRADA</b> – Court dispensed with notice on 05/21/12			
		Mother: <b>STEPHANIE PROPHET</b>			
<b>Cont. from 052112</b>		Paternal grandfather: UNKNOWN Paternal grandmother: ESTER ESTRADA – declaration of due diligence filed 03/20/12			
	<b>Aff.Sub.Wit.</b>				
✓	<b>Verified</b>				
	<b>Inventory</b>				
	<b>PTC</b>				
	<b>Not.Cred.</b>				
✓	<b>Notice of Hrg</b>				
✓	<b>Aff.Mail</b>				
	<b>Aff.Pub.</b>				
	<b>Sp.Ntc.</b>				
	<b>Pers.Serv.</b>		x		
✓	<b>Conf. Screen</b>				
✓	<b>Letters</b>				
✓	<b>Duties/Supp</b>				
	<b>Objections</b>				
	<b>Video Receipt</b>				
✓	<b>CI Report</b>				
	<b>9202</b>				
✓	<b>Order</b>				
		Court Investigator Jennifer Daniel filed a report on 05/11/12.			
		Court Investigator Jennifer Daniel filed a supplemental report on 06/20/12.			
	<b>Aff. Posting</b>				
	<b>Status Rpt</b>				
✓	<b>UCCJEA</b>				
	<b>Citation</b>				
	<b>FTB Notice</b>				
				<b>Reviewed by: JF</b>	
				<b>Reviewed on: 06/27/12</b>	
				<b>Updates:</b>	
				<b>Recommendation:</b>	
				<b>File 15 - Prophet</b>	